IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

LETTERS PATENT APPEAL NO.45 OF 2007
IN
WRIT PETITION NO.3062 OF 1992

S.R.Bhosale .. Petitioner

Vs.

Finolex Cables Ltd. & Anr. .. Respondents

Mr.C.U.Singh, Senior Advocate i/b Ms.Shoba Gopal for the petitioner

Ms.A.P.Purav i/b Mr.V.P.Sawant for the respondents

CORAM : J.N.PATEL &
A.A.SAYED, JJ.

DATED : 16TH APRIL, 2007

P.C.:

1. Heard.

2. The learned counsel for the parties submit that as this court proposed that the matter be amicably settled between the parties, the offer made by the respondent company as suggested by the learned single Judge was that they would pay a sum of Rs.50,000/- as one time settlement to the

workman which came to be recorded in the impugned order on 28.10.99. It is submitted by the learned counsel appearing for the appellant workman that the offer can be accepted in case the compensation is increased suitably to meet the ends of justice as the value of compensation offered in the year 1999 stands substantially reduced in monetary terms in the year 2007 due to inflation. On this, the matter was deliberated and it is agreed that the same can be compensated by awarding interest @ 6% p.a. w.e.f. November 1999.

3. The learned counsel for the appellant submits that if it can be rounded of to Rs.1.0 lac that would be just and fair considering the financial status of the company. This by itself cannot be a criteria to saddle the respondent company with such liability. We therefore, find that if interest is awarded that would meet the ends of justice.

4. The learned counsel for the respondent company submits that the amount of interest if calculated at the aforesaid rate, the amount of

interest comes to Rs.24,000/- Therefore, the Letters Patent Appeal can be disposed of with a direction that the respondent company will issue a pay order in the sum of Rs.75,000/- in favour of the appellant within two weeks towards full and final settlement of the dispute without adverting to the merits of the case. On such amount being deposited, appellants will be permitted to withdraw the same. Appeal stands disposed of accordingly.

(SHRI J.N. PATEL, J)

(SHRI A.A. SAYED, J)